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November 18, 2004

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Commissioner of Patents
U.S. Patent and Trademark Office
220 20th Street South
Customer Window, **MS Amendment**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Re: Information Disclosure Statement
Appl. No.: 10/733,776
Filed: December 12, 2003
Title: **Process for the Fermentative Preparation
of L-Amino Acids Using Strains of the
Enterobacteriaceae Family**
Inventor(s): Rieping, Mechthild
Atty. Dkt.: 7601/80921

Dear Sir:

The following documents are being submitted for appropriate action by the U.S. Patent and Trademark Office:

1. Information Disclosure Statement;
2. PTO Form 1449, List of References Cited by Applicant;
3. References B1-B40 and C1-C74; and
4. Return postcard.

**Applicant does not believe that any fees are due for the filing of these documents.
However, the Director is hereby authorized to charge any fee deficiency with respect to this**

Commissioner for Patents
November 18, 2004
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filing and any other fee required in connection with the present case, or credit any overpayment to our Deposit Account No. 06-1135 under Order No. 7601/80921.

It is respectfully requested that the enclosed postcard be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Very truly yours,

FITCH, EVEN, TABIN & FLANNERY

A handwritten signature in black ink, reading "Michael A. Sanzo". The signature is written in a cursive, flowing style.

Michael A. Sanzo
Reg. No. 36,912
Attorney for Applicant

MAS:ct
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Rieping, Mechthild

Appl. No.: 10/733,776

Filed: December 12, 2003

For: **Process for the Fermentative Preparation
of L-Amino Acids Using Strains of the
Enterobacteriaceae Family**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt.: 7601/80921

Information Disclosure Statement

Commissioner of Patents
U.S. Patent and Trademark Office
220 20th Street South
Customer Window, **MS Amendment**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Submitted herewith is a listing of documents known to Applicant and/or his attorney in compliance with the requirements of 37 C.F.R. § 1.56. Some of these references were cited in the International Search Report for counterpart international application PCT/EP03/14271 dated April 23, 2004, a copy of which is enclosed. Copies of the listed documents, with the exception of the United States patent(s), are also enclosed.

Applicant also wishes to make the Examiner aware of co-pending applications 10/784,902, filed February 24, 2004; 10/784,914, filed February 24, 2004; 10/794,417, filed March 8, 2004; 10/812,315, filed March 30, 2004; and 10/817,431, filed April 5, 2004.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicant's undersigned attorney submits the following concise explanation of the relevance of the non-English language document cited on the accompanying form:

Reference B1, PCT published application WO 99/18228, describes a method for increasing the microbial production of specific amino acids by increasing the activity or expression of pyruvate carboxylase. An English language abstract corresponding to this document is enclosed herewith and is cited on the accompanying list of references as document C71.

Reference B3, PCT published application WO 01/05939 A1, describes a process for the production of L-amino acids, *e.g.*, L-lysine and L-glutamic acid, by culturing a microorganism having variation or deletion of sigma factor which acts specifically on the stationary phase. An English language abstract corresponding to this document is enclosed herewith and is cited on the accompanying list of references as document C72.

Reference B39, German patent DE 101 32 946 A1, describes a process for the fermentative production of L-amino acids by culturing Enterobacteriaceae in which the activity of at least one specific gene is increased. The process is useful in producing threonine and other amino acids for use in animal nutrition, medicine and the food industry. An English language abstract corresponding to this document is enclosed herewith and is cited on the accompanying list of references as document C73.

Reference B40, German patent DE 101 35 053 A1, describes a process for preparing L-amino acids, *e.g.*, L-threonine, by fermenting an organism of the Enterobacteriaceae family in which at least the *malE* gene is enhanced, particularly overexpressed, and then isolating the desired amino acid. An English language abstract corresponding to this document is enclosed herewith and is cited on the accompanying list of references as document C74.

Applicant does not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the present application. This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made.

Consideration of the cited documents and making the same of record in the prosecution of the above-captioned application are respectfully requested.

Applicant does not believe any fees are due for the submission of this Information Disclosure Statement other than those which have been provided. However, the Director is hereby authorized to charge any fee deficiency to our Deposit Account No. 06-1135 under Order No. 7601/80921.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

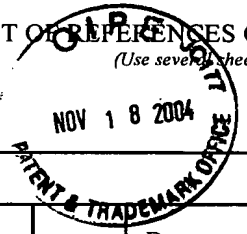
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LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i>				Atty. Docket No.: 7601/80921		Appl. No.: 10/733,776			
				Applicant(s) Rieping, Mechthild					
				Filing Date: December 12, 2003		Group: to be assigned			
U.S. PATENT DOCUMENTS									
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate		
	A 1	4,278,765	Jul. 14, 1981	Debabov, <i>et al.</i>	435	172	Jun. 28, 1979		
	A 2								
	A 3								
	A 4								
	A 5								
	A 6								
	A 7								
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Examiner Initial		Document Number	Date	Country	Class	Subclass	Abst./Trans.	
							Yes	No
	B 1	WO 99/18228	Apr. 15, 1999	WIPO	C12P	13/00	X	
	B 2	WO 99/53035	Oct. 21, 1999	WIPO	C12N	9/00		
	B 3	WO 01/05939 A1	Jan. 25, 2001	WIPO	C12N	1/21	X	
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Examiner Initial _____ OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)			
	C 1	ANDREWS, <i>et al.</i> , "Cloning, Sequencing, and Mapping of the Bacterioferritin Gene (<i>bfr</i>) of <i>Escherichia coli</i> K-12," <i>J. Bacteriol.</i> 171:3940-3947 (1989).	
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		Filing Date: December 12, 2003	Group: to be assigned
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)			
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	C 20	KAGA, <i>et al.</i> , "Rnase G-Dependent Degradation of the <i>eno</i> mRNA Encoding a Glycolysis Enzyme Enolase in <i>Escherichia coli</i> ," <i>Biosci. Biotechnol. Biochem.</i> 66:2216-2220 (2002).	
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	C 31	MEYER, <i>et al.</i> , "Molecular Characterization of Glucokinase from <i>Escherichia coli</i> K-12," <i>J. Bacteriol.</i> 179:1298-1306 (1997).	
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Examiner		Date Considered	

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OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)			
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	C 39	RAIBAUD, <i>et al.</i> , "Essential and Nonessential Sequences in <i>malPp</i> , a Positively Controlled Promoter in <i>Escherichia coli</i> ," <i>J. Bacteriol.</i> 161:1201-1208 (1985).	
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	C 41	REYES, <i>et al.</i> , "Overproduction of MalK Protein Prevents Expression of the <i>Escherichia coli</i> <i>mal</i> Regulon," <i>J. Bacteriol.</i> 170:4598-4602 (1988).	
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